

HOUSE BILL REPORT

HB 2328

As Passed House:

January 31, 2000

Title: An act relating to fees for filing a petition for unlawful harassment.

Brief Description: Decreasing filing fees for petition for unlawful harassment.

Sponsors: Representatives Lantz, Constantine, Ogden, Edmonds, Stensen, Regala, O'Brien, Kagi, Dickerson, Cody, Keiser, Kessler, Schual-Berke, Hurst, Santos and Kenney.

Brief History:

Committee Activity:

Judiciary: 1/18/00, 1/25/00 [DP].

Floor Activity:

Passed House: 1/31/00, 97-0.

Brief Summary of Bill
<ul style="list-style-type: none">· Lowers the superior court filing fee for a petition for an anti-harassment order from \$110 to \$41.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

Staff: Edie Adams (786-7180).

Background:

A person who is being unlawfully harassed may petition the court for an anti-harassment order against the harasser.

District courts have jurisdiction over anti-harassment order petitions. Superior courts have concurrent jurisdiction to receive transfer of anti-harassment order petitions where the district court finds there are good reasons for the transfer. If the alleged harasser is under the age of 18, the district court must transfer the case to superior court.

The district court filing fee for a petition for an anti-harassment order is \$31 plus an optional county surcharge of up to \$10. If the petition is filed in superior court, the filing fee is \$110.

The district and superior court filing fees are subject to division with the public safety and education account and the county or regional law library fund. The county treasurer must transmit \$12 of the superior court filing fee and \$6 of the district court filing fee to the law library fund. In addition, 46 percent of the superior court filing fee and 32 percent of the district court filing fee are remitted to the state public safety and education account fund. The public safety and education account is used to fund a variety of programs, including criminal justice training, crime victim's compensation, indigent representation, the judicial information system and highway and traffic safety.

Summary of Bill:

The superior court filing fee for a petition for unlawful harassment is reduced from \$110 to \$41.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Lowering the fee in superior court is a matter of fairness and equity. An unlawful harassment petition involving minors must be heard in superior court, which has a much higher filing fee than district court. The fee is currently waived in most cases, so lowering the fee might actually increase revenue.

Testimony Against: None.

Testified: (In support) Betty Gould, Washington Association of County Clerks; and Debbie Wilke, Washington Association of County Officials.